

## **MEETING MINUTES**

### **MILPITAS PLANNING COMMISSION Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA**

**Wednesday, June 10, 2015**

- I. PLEDGE OF ALLEGIANCE**      **Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. ROLL CALL/ SEATING OF ALTERNATE**      **Commissioners**  
**Present:**      Chair Sudhir Mandal, Vice Chair Larry Ciardella,  
Commissioners Gurdev Sandhu, Rajeev Madnawat, Demetress  
Morris, Hon Lien, Ray Maglalang, Zeya Mohsin  
  
**Absent:**      All commissioners present  
  
**Staff:**      Bill Ekern, Johnny Phan, Adam Petersen, Cindy Hom
- III. PUBLIC FORUM**      **Chair Mandal** invited members of the audience to address the Commission and there were no speakers.
- IV. APPROVAL OF MEETING MINUTES**      **Chair Mandal** called for approval of the May 13, 2015 meeting minutes of the Planning Commission.  
  
**Motion** to approve Planning Commission meeting minutes.  
Motion/Second:      Vice Chair Ciardella/Commissioner Madnawat  
AYES:      5  
NOES:      0  
ABSTAIN:      2      Sandhu, Morris
- V. ANNOUNCEMENTS**      Vice Chair Ciardella announced the Relay for Life event taking place on June 20 and 21 at Cardoza Park.
- VI. CONFLICT OF INTEREST**      **Assistant City Attorney Johnny Phan** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.  
  
There were no reported conflicts.
- VII. APPROVAL OF AGENDA**      **Chair Mandal** asked if staff or Commissioners had changes to the agenda and there were none.  
  
**Motion** to approve the June 10, 2015 agenda as submitted.  
Motion/Second:      Commissioner Sandhu/Vice Chair Ciardella  
AYES:      7  
NOES:      0

## VIII. CONSENT CALENDAR

### NO ITEMS

## IX. PUBLIC HEARING

- IX-1 UYEN NHI DAY SPA – 122 W. Calaveras Blvd – UP15-0002:** A request for a Conditional Use Permit for a full service beauty salon including massage services.

Senior Planner Adam Petersen gave a brief overview of the Uyen Nhi Day Spa. He said the previous tenant, Shanghai Day Spa, provided similar services but a change in ownership dictated the requirement for a use permit.

Commissioner Maglalang asked if there have been issues with the business and Mr. Petersen said there have been no calls for services to this establishment and they have an excellent service record.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

**Motion** to Adopt Resolution No. 15-019 approving Conditional Use Permit No. UP15-0002 to bring in to conformance a massage establishment at 122 West Calaveras Boulevard.

Motion/Second: Commissioner Morris/Commissioner Madnawat

AYES: 7

NOES: 0

- IX-2 PS BUSINESS PARK MASTER SIGN PROGRAM – 901-931 CADILLAC CT - SD14-0022:** A request for a master sign program for a multi-tenant industrial building consisting of wall signs and a multi-tenant monument sign.

Project Planner Cindy Hom gave a brief overview of the project. She said the purpose of the sign program is to attract new tenants and provide appropriate business identification.

Project applicants Anne Risberg of PS Business Park and Frank Bontempo of Sun Graphics were both present.

Chair Mandal opened the public hearing and there was one speaker.

A Milpitas resident from the Glenmore area whose home is located 50-60 feet from the project said he has no issues with the signage but he does have an issue with more business on the property. He said more business is not good for the local residents and he is unhappy with excessive noise and trucks running their engines.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Maglalang

AYES: 7

NOES: 0

Chair Mandal asked about truck noise and Ms. Hom said the noise ordinance does not address truck noise. Mr. Ekern added that Code Enforcement and the Police Department regulate the noise ordinance and staff can make contact with the property manager and businesses to make them aware of the issue.

**Motion** to Adopt Resolution No. 15-018 approving Site Development Permit No. SD14-0022 to allow for a master sign program for multi-tenant industrial building at 901-931 Cadillac Court subject to the conditions of approval.

Motion/Second: Commissioner Madnawat/Commissioner Morris

AYES: 7

NOES: 0

**IX-3 SPECIAL EVENTS ORDINANCE – ZA15-0004:** A request for a Zoning Text Amendment to adopt new provisions in the Zoning Ordinance to establish review requirements and general regulations for special events and activities.

Project Planner Cindy Hom gave an overview of the project.

Vice Chair Ciardella asked if an applicant would need to return for a permit if there were issues with a prior event and Mr. Ekern said the City has the right to revoke a permit.

Commissioner Madnawat asked for the amount of fees the city charges and Mr. Ekern said the city takes a deposit and charges hourly for staff charges but staff works with the City Council as some event fees are waived. Commissioner Madnawat believes that applicants should receive an estimate of the cost to hold a special event.

Assistant City Attorney Johnny Phan said there are typically two options for fees, a flat fee or a fee based on hourly charges. He said that staff will create a fee schedule and present it to City Council for adoption.

Commissioner Sandhu said that a fee analysis should have been provided along with this special events proposal in order to gain input from the Planning Commissioners.

Mr. Ekern said that the Finance Department and City Council will determine the fee.

Commissioner Mohsin does not want event costs to be a burden for non-profit organizations.

VC Ciardella asked if fees are in the purview of the Planning Commission and Mr. Phan said they are outside the jurisdiction of the Planning Commission and that the focus of this ordinance is to streamline the special event process.

Commissioner Madnawat said it is difficult to make an informed decision without knowing the fees involved.

Chair Mandal said if there is no urgency to approve this now then he would like to see more information at an upcoming meeting.

Commissioner Madnawat asked that staff consider the Planning Commission's opinion on fees when the item is presented to City Council.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

Vice Chair Ciardella motioned to adopt Resolution No. 15-017 recommending the City Council adopt Zoning Amendment No. ZA15-0004 to amend the Zoning Code to add new provisions relating to special events and activities. The motion died for lack of a second.

**Motion** to continue discussion of this item to the next meeting.

Motion/Second: Commissioner Madnawat/Commissioner Morris

AYES: 6

NOES: 1 Ciardella

## **X. NEW BUSINESS**

### **X-1 PLANNING COMMISSION TRAINING TOPICS**

Planning and Neighborhood Services Interim Director Bill Ekern said the purpose of this item is to gain input from commissioners on items of interest for Planning Commissioner discussion and training.

Chair Mandal asked each commissioner for input and the information is below:

Commissioner Mohsin – water crisis, new construction

Commissioner Maglalang – modern mobility in the city, how walkable and bikeable the city is, how to discourage driving, how to attract birds in the city, how to be attractive to new people and businesses, the dos and don'ts of meeting with developers

Commissioner Lien – traffic and school concerns with city growth and how students are accommodated

Commissioner Morris – what is projected to happen in the city

Commissioner Madnawat – review a sample EIR report and discuss major findings

Commissioner Sandhu – parking issues at old shopping centers, how to encourage development of land

Vice Chair Ciardella – regular updates on projects, city and water resources for future projects

Chair Mandal – projected growth, upcoming projects

Mr. Ekern said that staff will return soon with updates on approved projects and information on development.

**XI. ADJOURNMENT**

The meeting was adjourned at 9:15 PM to the next meeting scheduled on Wednesday, June 24, 2015.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Madnawat/Commissioner Maglalang

AYES: 7

NOES: 0

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*